

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

JOEL WALLENDER v. UNITED STATES ARMY CORP OF ENGINEERS

HONORABLE JAMES K. SINGLETON, JR.

DEPUTY CLERK

CASE NO. 3:05-CV-00263-JKS

Dan Maus

PROCEEDINGS:

**MINUTE ORDER FROM CHAMBERS**

DATE: January 13, 2006

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**INITIAL CASE STATUS REPORT / CASE SCHEDULING & PLANNING**

Pursuant to Rules 16(b) and 26(f), FED. R. CIV. P., and D.Ak. LR 16.1 counsel for all parties must meet within twenty-one (21) days from service of this order, and execute and file with the court, on or before twenty-eight (28) days from service of this order, a report as to the status and discovery needs of this case. The report must conform to LCF 26(f), a copy of which is attached. Older scheduling and planning report forms are not acceptable. The required report form is available online in WordPerfect format on the court's web site at <http://www.akd.uscourts.gov> in the forms section.

In the event that the parties are actively engaged in substantive settlement negotiations, in lieu of the LCF 26(f) scheduling and planning report, the parties are to file within the time specified above for filing the scheduling and conference report, a joint status report so informing the court. The settlement negotiation status report must include the date by which the parties expect those negotiations to be completed.

*(Insert Atty (or party if pro se) Name, Address,  
Telephone and Facsimile Numbers and e-mail  
address)*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

<i>(Insert Name of Plaintiff)</i>	)	
Plaintiff(s)	)	Case No. <i>(Insert Case No)</i>
vs	)	
	)	
<i>(Insert name of Defendant)</i>	)	
Defendant(s)	)	SCHEDULING AND PLANNING
_____	)	CONFERENCE REPORT

1. **Meeting.** In accordance with F.R.Civ.P. 26(f), a meeting was held on *(insert date)* and was attended by:

<i>(Insert attorney's name)</i>	attorney for plaintiff <i>(insert name of party)</i>
<i>(Insert attorney's name)</i>	attorney for defendant <i>(insert name of party)</i>
<i>(Insert attorney's name)</i>	attorney for defendant <i>(insert name of party)</i>
<i>(Insert attorney's name)</i>	attorney for defendant <i>(insert name of party)</i>

The parties recommend the following:

2. **Pre-Discovery Disclosures.** The information required by F.R.Civ.P. 26(a)(1):

\_\_\_\_\_ have been exchanged by the parties

\_\_\_\_\_ will be exchanged by the parties by *(insert date)*

Proposed changes to disclosure requirements: *(Insert proposed changes, if any)*

Preliminary witness lists

\_\_\_\_\_ have been exchanged by the parties

\_\_\_\_\_ will be exchanged by the parties by *(insert date)*

3. **Contested Issues of Fact and Law.** Preliminarily, the parties expect the following issues of fact and/or law to be presented to the court at trial in this matter:

*(insert contested issues)*

4. **Discovery Plan.** The parties jointly propose to the court the following discovery plan.

A. Discovery will be needed on the following issues:

*(Insert discovery issues)*

B. All discovery commenced in time to be completed by *(insert date)* ("discovery close date").

C. Limitations on Discovery.

1. Interrogatories

\_\_\_\_\_ No change from F.R.Civ.P. 33(a)

\_\_\_\_\_ Maximum of \_\_\_\_\_ by each party to any other party.

Responses due in \_\_\_\_\_ days.

2. Requests for Admissions.

\_\_\_\_\_ No change from F.R.Civ.P. 36(a).

\_\_\_\_\_ Maximum of \_\_\_\_\_ requests.

Responses due in \_\_\_\_\_ days.

3. Depositions.

\_\_\_\_\_ No change from F.R.Civ.P. 36(a), (d).

\_\_\_\_ Maximum of \_\_\_\_ depositions by each party.

Depositions not to exceed \_\_\_\_ hours unless agreed to by all parties.

D. Reports from retained experts.

\_\_\_\_ Not later than 90 days before the close of discovery subject to F.R.Civ.P  
26(a)(2)(C).

\_\_\_\_ Reports due:

From plaintiff (*insert date*)

From defendant (*insert date*)

E. Supplementation of disclosures and discovery responses are to be made:

\_\_\_\_ Periodically at 60-day intervals from the entry of scheduling and planning  
order.

\_\_\_\_ As new information is acquired, but not later than 60 days before the close  
of discovery.

F. A final witness list, disclosing all lay and expert witnesses whom a party may  
wish to call at trial, will be due:

\_\_\_\_ 45 days prior to the close of discovery.

\_\_\_\_ Not later than (*insert date*)

5. **Pretrial Motions.**

\_\_\_\_ No change from D.Ak. LR 16.1(c).

The following changes to D.Ak. LR 16.1(c). [Check and complete all that apply]

\_\_\_\_ Motions to amend pleadings or add parties to be filed not later than (*insert  
date*).

\_\_\_\_ Motions under the discovery rules must be filed not later than (*insert date*).

\_\_\_\_ Motions in limine and dispositive motions must be filed not later than (*insert  
date*).

6. **Other Provisions:**

A. ☐ The parties do not request a conference with the court before the entry of the scheduling order.

☐ The parties request a scheduling conference with the court on the following issue(s):

*(Insert issues on which a conference is requested)*

B. Alternative Dispute Resolution. [D.Ak. LR 16.2]

☐ This matter is not considered a candidate for court-annexed alternative dispute resolution.

☐ The parties will file a request for alternative dispute resolution not later than *(insert date)*.

☐ Mediation ☐ Early Neutral Evaluation

C. The parties ☐ do ☐ not consent to trial before a magistrate judge.

D. Compliance with the Disclosure Requirements of F.R.Civ.P. 7.1

☐ All parties have complied ☐ Compliance not required by any party

7. **Trial.**

A. The matter will be ready for trial:

☐ 45 days after the discovery close date.

☐ not later than *(insert date)*.

B. This matter is expected to take  days to try.

C. Jury Demanded ☐ Yes ☐ No

Right to jury trial disputed? ☐ Yes ☐ No

Dated:

(Insert Signature Block for Plaintiff's  
Attorney)

(Insert Signature Block for Defendant's  
Attorney)

(Insert Signature Block for Defendant's  
Attorney)

(Insert Signature Block for Defendant's  
Attorney)